

**Virginia Marine Resources Commission**  
**Finfish Management Advisory Committee (FMAC) Meeting**  
2600 Washington Avenue, Newport News, VA  
VMRC Commission Room, Fourth Floor  
Monday, October 20, 2014, 6:00 p.m.

**ATTENDANCE**

Members Present

Jeff Deem (Chairman)  
Meade Amory  
Skip Feller  
G. Wayne France  
Doug Jenkins (Proxy for Russell Gaskins)  
Chris Ludford (Proxy for Ernest Bowden)  
Richard Lockhart  
Scott McDonald  
Hon. Ken Neill  
Tom Powers  
Walter Rogers  
Beth Synowiec  
Robert Weagley

Members Absent

Andy Hall

Others Present

Bob Allen  
Jon Lucy (VIMS)  
Jan McDowell (VIMS)  
David Moss  
Susanna Musick (VIMS)  
Keith Nuttall

VMRC Staff Present

Rob O'Reilly  
Joe Grist  
Ande Ehlen  
Lewis Gillingham  
Samantha Hoover  
Stephanie Iverson  
Rachael Maulorico  
Alicia Nelson

A quorum was present with 13 members in attendance. Minutes were recorded by Samantha Hoover.

**I. FMAC Introductions; Announcements**

Meeting was called to order at 6:00pm.

**II. Approval of FMAC minutes from August 19 & September 22, 2014 meetings**

Mr. Skip Feller motioned to approve minutes from the both the August 19, 2014 and the September 22, 2014 meetings. The motion was seconded by Mr. Robert Weagley. Mr. Tom Powers abstained. Motion passed 12:0:1.

**III. Discussion: Issues related to the fisheries and management of speckled trout**

**1) Life history aspects and Background on RFAB projects to date**

Ms. Susanna Musick from the Virginia Institute of Marine Science (VIMS) gave a presentation on the life history of speckled trout, data from the speckled trout game fish tagging program, and how they are connected. Mr. Lewis Gillingham then gave a brief presentation on the speckled trout citation data from the Virginia

Saltwater Fishing Tournament. He stated that the 2014 results will be in a press release once they are finalized.

Ms. Alicia Nelson gave a brief overview of the Virginia Saltwater Recreational Fishing Development Fund. She reviewed some of the speckled trout specific projects from the past, present, and future and the expected benefits to come from those projects. Ms. Jan MacDowell, from VIMS, provided detail on the current RFAB funded genetic study she is working on. The VIMS study is using genetic markers to test connectivity among locations both within the Chesapeake Bay and between Chesapeake Bay and the Carolinas, which will allow the scientists to assess the independence of Virginia's speckled trout populations. Mr. Rob O'Reilly asked if the spawning and movement of the fish within the estuary causes any complications. Ms. MacDowell explained that it causes some complication, but it depends on the movement itself; she explained that isolation by distance could possibly be happening. Mr. Richard Lockhart stated that it will be interesting to see if the results from the study show if all strains of speckled trout were affected by the cold water stun or if only one or two were affected.

2) NCDMF 2009 stock assessment review and 2014 update

Mr. Joe Grist reviewed the 2009 speckled trout stock assessment and gave a brief update on the 2014 stock assessment, which is still going on. One issue with the 2009 assessment was that they did not use Virginia data correctly. Age data, from Virginia's Biological Sampling Program, was not used and the possibility of distinct populations was not accounted for. The new stock assessment, is nearing completion of its draft assessment. The results have not yet been released.

Ms. Rachael Maulorico gave a brief presentation on Virginia landings for both commercial and recreational speckled trout fisheries by season/wave and by gear.

3) Discussion on recreational measures and commercial measures

The committee discussed the information presented by VIMS and VMRC staff and possible recreational and commercial measures that could be implemented. Ms. Beth Synowiec stated that based on the information presented, the fishery seems to be at a healthy state. She suggested that due to the voluntary reduction taken by the recreational speckled trout fishery, she is in favor of changing the recreational possession limit from 5 fish at 24 inches, to 7 fish at 24 for inches, two of which could be citation fish, greater than or equal to 24 inches. Mr. Scott MacDonald stated that the recreational possession limit could be back to the 10 fish limit because the stock seems to cycle. Mr. Lockhart stated that he does not think that there is enough support to show that the stocks are healthy and reiterated that the information is not yet finalized. He has observed that the number of small fish has increased and the number of trophy fish has decreased. Mr. Lockhart felt it was very smart that we had the closure after the cold-stun mortality event; he stated that he would be comfortable with opening the season back up, as long as there is not another cold stun event. He also informed the committee that several people he has talked to are in favor of keeping the recreational possession limit at 5 fish in order to keep the fishery season open. Ms. Synowiec noted that the recreational possession limit went from 10 fish with no parameters to 5 fish with one citation fish. She stated she therefore felt the option is conservative in her opinion. Mr. Lockhart stated that he is in favor of status quo until the research results are more

definitive. Mr. Powers stated that nothing should be done tonight and that FMAC has time to think about regulation recommendations and discuss this at a future date. Staff stated that the time line is fairly short for implementing new regulations and that it would be difficult to inform the public in a short period of time. There is a deadline for the recreational regulation cards and if the regulation is not finalized, then the current possession limits will go on the card.

Mr. David Moss, from the public, stated that speckled trout is a highly targeted fish, which, in his opinion, has not recovered from the winter cold-stun events. The speckled trout he has observed are all very small and not trophy fish size. He is in favor of status quo until the stocks increase. Mr. Keith Nuttall, from the public, stated that his catches are down about 70% from 2012 and 60% from 2013. He felt the commercial quota should not be increased because the quota has only ever been met once. He stated that he would like status quo for now and encouraged waiting to see the finalized harvest amounts for 2014 before any management changes are made.

Mr. Doug Jenkins declared that the Code of Virginia states that the commercial and recreational fishery should be equal and since the commercial quota has only been met one time, then the commercial quota should be increased. Mr. Powers replied that the code Mr. Jenkins referred to states that the quota should be equitable between user groups, not equal between recreational and commercial. Mr. Powers then inquired on how cold stun events will be handled in the future and if any measures are now in place. Mr. O'Reilly stated that the cold stun event definitely raised awareness. Mr. Wayne France felt that early spring would be a better time to discuss management measures for this fishery. Mr. O'Reilly agreed in that if there are changes, then they should occur by January, with February as a fall back. Ms. Synowiec agreed and restated that the recreational fishery was hurt tremendously by this and if the commercial fishery were to be increased, then the recreational should be increased as well. Mr. Powers felt it would take three or four years of the commercial fishery exceeding the quota before management changes should be considered.

Mr. O'Reilly stated that the committee could come up with conditions that would have to be met in order for there to be an increase in the commercial and recreational quota and possession limits (triggers). Mr. MacDonald does not think that raising the commercial quota by 10% would hurt anything because the quota has only been hit one time in 19 years and felt that the wording of the regulation needs to change from bycatch to trip limit. He stated in order to utilize the quota without going over, we need to look at a 90% or a 95% trigger, instead of 80%. Mr. Lockhart stated that the timing is not right, once it has been proven that the fishery is back, he agrees with a 10% increase.

Mr. MacDonald stated that if the quota is hit three years in a row, then the trigger would be to increase the quota by 10%. Mr. Meade Amory added that once the trigger is met, it could then be a hard quota, so overages could be paid back the following year. He also suggested that a condition could be added when 95% of the quota has been reached two or three years in a row, then management could look into increasing the quota. He asked staff to see which would work better, the 90% or the 95%. Mr. O'Reilly stated that that the 95% trigger would be cutting it very

close because you would still have delinquent data that would not yet be accounted for, but staff will discuss this further and have it ready for the January FMAC meeting. Mr. Powers requested to add in a condition, that if 80% of the quota is reached, to change the fishery from a “bycatch” fishery to a vessel trip limit. Mr. Power and Mr. MacDonald stated that they are not looking for change at this time.

Mr. Weagley stated that the commercial gear type possession limits should be the same throughout the fishery and that it is currently unfair to have the commercial hook-and-line fishery following the recreational management measures for speckled trout. Mr. Chris Ludford agreed that it is not fair. Mr. MacDonald added that the bycatch hurts the hook-and-line fishery because they cannot sell what they bring in as bycatch. Mr. O’Reilly added that this is a huge issue and always has been. He briefly discussed the history of the hook-and-line fishery and that staff will have information on this topic for the next meeting. Mr. Deem stated that the committee will need to come up with triggers and responses to those triggers for the next meeting as well. Mr. France added the finalized citation numbers and commercial harvest should be more complete by the January meeting. Mr. O’Reilly stated that staff can present rudimentary profiles of the stock with nominal information like catch at age information, effort information, and relative fishing mortality rates which is dependent on trip, catch, and discard data. Staff can also present data on the number of fish that were harvested based on what the regulation was for each year. Mr. Powers asked staff to break that data down by water body. Mr. Jon Lucy, from the public, asked staff if we could have another update on the North Carolina assessment for the next meeting as well.

#### **IV. Update on striped bass management measures:**

Mr. Grist gave a brief update on the Atlantic States Marine Fisheries Commission (ASMFC) Addendum IV to Amendment 6 to the Atlantic Striped Bass Interstate Fishery Management Plan. He stated that during the Tuesday, October 28, 2014 commission meeting, staff will be asking the Commission, if they can advertise the results from the ASMFC meeting on Wednesday, October 29, 2014 for the Commission’s December public hearing. Mr. Jenkins asked about remaining as status quo for the striped bass fisheries. Staff stated that status quo is always an option for every ASMFC plan, but it is projected that the biomass will fall below the threshold. Hon. Dr. Neill stated that the conservation equivalencies that have already been approved by ASMFC need to go out in the public notice next Wednesday along with the results from the ASMFC meeting. He then stated that FMAC needs to meet again to discuss the recreational management measures for striped bass in order to allow for public comment and decide on the FMAC recommendation. Mr. O’Reilly stated that there will be a permit implemented for next year that a recreational fisherman participating in the spring striped bass trophy season would need to obtain in order to retain a spring trophy fish. Mr. Grist stated that the recreational and commercial seasons will stay the same, but the possession limits and trip limits could change.

#### **V. New business**

Mr. Weagley asked staff if they are applying for any of the NOAA-advertised grants for river herring studies. Mr. O’Reilly stated that we are aware of the grant money available and that VMRC and VIMS staff are working on applying for several grants. He explained that river herring has never been quantitatively

understood from juvenile and adult surveys. They are notable because they have local area fidelity. It will take several years of data before it can be put into an assessment.

**VI. Adjournment**

The meeting adjourned at 8:45pm. The next meeting has been scheduled for Wednesday, November 19, 2014 to discuss striped bass management measures.